

EPA's Y2K Enforcement Policy

The EPA is encouraging businesses and state and local governments to check all systems, including monitoring, operational processes and lab equipment, for the Y2K bug. Why is EPA concerned? Failure of systems because of the Y2K problem can result in the release of harmful pollutants to the environment and failure to provide important monitoring information to the government.

How will EPA handle violations that occur due to Y2K problems?

Regulated facilities wanting to test in advance of the Y2K dates should utilize any regulatory or permit procedures that can provide a timely and effective process for testing. For example, the RCRA regulations provide for trial burn testing of hazardous waste, research, development, and demonstration permits.

If no procedures apply, or can't be done in a timely manner, then under the Y2K Enforcement Policy, EPA will exercise its discretion to waive 100% of the civil

penalties that may otherwise apply and recommend against criminal prosecution for violations resulting from testing IF the facility can meet several criteria. The criteria are:

- ✓ Test protocols must have been designed in advance of the testing period;
- ✓ The Y2K testing must have been the cause of any potential violations where penalty waiver is sought;
- ✓ The testing was needed to assess Y2K compliance status or test the effectiveness of Y2K modifications; was conducted before the Year 2000; and conducted for the shortest possible period of time, not to exceed 24 hours in duration.
- ✓ Violations must not have created a potentially imminent and substantial endangerment;
- ✓ All violations ceased at the end of the test or were corrected within 24 hours thereafter;

✓ The facility expeditiously remediated any releases or other adverse consequences as specified by EPA.

✓ The facility has met all applicable legal requirements for reporting the violations or, where the violations are not legally required to be reported, the violations are nevertheless reported to EPA as expeditiously as possible, ordinarily no more than 30 days after when the violations occurred, but in all cases no later than February 1, 2000.

EPA's Y2K Enforcement policy is on the web at <http://es.epa.gov/oeca/eptdd/ocy2k.html>.

Where is help available?

The EPA Year 2000 web site at <http://www.epa.gov/year2000> has an EPA checklist that can serve as a starting place for checking basic systems. Contact manufacturers or industry experts for advice on specific systems.

Will The Y2K Bug Affect Your Environmental Compliance Systems?

By now you have probably heard plenty about the Millennium bug or Y2K. A lot of thought has gone into how the Y2K bug may affect business information systems, and even manufacturing process systems, but for those companies that have air emissions monitoring, waste water treatment or pollution control systems, how might the Y2K problem affect these systems?

Perhaps you have already taken care of preventing the Y2K problem from causing a general systems crash, but have you discovered all of the embedded processors, hidden in non-computer control systems that might cause problems with your compliance systems? One processor controlled valve malfunctioning in the wrong place and time, could mean big problems for your company and perhaps the environment as well. Other non-environmental systems which could be affected include information management systems, electronic data delivery systems, security systems and even HVAC systems. Instrument software and hardware could also be affected. System failures may also occur as a result of the loss of electric power.

Just identifying the systems that could be impacted, may be an extensive job in itself. Then you will need to contact system manufacturers to determine whether or not the embedded systems are Y2K compliant, and if not ask for assistance. Look for Y2K compliance on any new systems purchases. Test existing systems to determine if they will function properly. Consider contingency planning for Y2K environmental non-compliance. Above all, act now and don't wait to find out the hard way, which systems will function properly and which won't, come January 1, 2000!

MARK YOUR CALENDAR

March 24

Is Your School In Compliance: Achieving & Going Beyond Compliance with Environmental Regulations in Academic Settings

Harvard Medical School

Tosteson Medical Education Center

260 Longwood Ave.

Boston, Mass.

8:00 a.m. to 3:15 p.m.

For administration and EHS staff of New England colleges and universities. An overview of environmental regulations, how the regulations are enforced, and pollution prevention opportunities. Sponsored by EPA, Harvard Medical School, Harvard School of Public Health. \$25. For more information call Joan Jouzaitis, EPA, at 617.918.1846.

March 25

Healthcare Without Harm: Reducing Pollution from Medical Waste

Holiday Inn Hotel

Marlborough, Mass.

8:00 a.m. to 4:30 p.m.

For nurses, hospital administrators, purchasing managers and others in the healthcare industry. Learn about pollution from medical waste and find out about alternatives in disposal, recycling, and product selection. The program will have an emphasis on mercury issues. Sponsored by EPA, the Massachusetts Nurses Association (MNA), and Lightning Environmental Recovery Systems. \$45 for MNA members and \$60 non-members. To register call Susan Clish, MNA Nursing Department, at 781.830.5723.

March 30 - April 1

Hands-On CAMEO Training

Harvard School of Public Health

677 Huntington Ave.

Boston, Mass.

8:00 a.m. to 4:15 p.m.

For state and local emergency response commissions, HAZMAT teams, firefighters and health, safety and environmental managers. With hands-on training in the use of the emergency management software CAMEO (Computer-Aided Management of Emergency Operations) you'll be able to develop emergency response plans, get instant access to safety and emergency response information on over 5,000 chemicals and track chemical inventories in the community. Sponsored by the Harvard School of Public Health in conjunction with EPA. \$350. A limited number of scholarships are available. For more information contact the Harvard School of Public Health at 617.432.1171.

April 20

Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Concord Highway Department

Concord, N.H.

8:00 a.m. to 11:30 a.m.

For garage supervisors, foremen, and mechanics. Find out what EPA and state inspectors look for and how to improve your operations and avoid regulatory problems. Strategies for preventing pollution, such as parts cleaning alternatives and methods for minimizing waste oil, will be covered. Sponsored by EPA, NH Public Works Association, NH Municipal Association, and the University of NH Technology Transfer Center. Free. For more information contact Jack Healey, EPA, at 617.918.1844.

April 22

Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Littleton Highway Department

Littleton, N.H.

8:00 a.m. to 11:30 a.m.

See description for April 20.

April 27

Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Exeter Highway Department

Exeter, N.H.

8:00 a.m. to 11:30 a.m.

See description for April 20.

April 29

Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Keene Highway Department

Keene, N.H.

8:00 a.m. to 11:30 a.m.

See description for April 20.

May 12

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

St. Albans, Vt.

8:00 a.m. to 11:45 a.m.

Topics include an overview of environmental compliance issues and strategies for managing engine oil, floor drain use, what can (and can't) go into the trash and more. Sponsored by EPA, VT Department of Environmental Conservation (DEC), VT League of Cities and Towns, and VT Local Roads. Free. To register or for more information call VT DEC's Environmental Assistance Hotline at 800.974.9559.

May 9

Recycling Venture Forum

World Trade Center

Boston, Mass.

Recycling firms looking for financing will be presenting their plans for start up or expansion in front of investors at the Northeast Recycling Council's (NERC) 4th annual Recycling Venture Forum. A total of \$18 million dollars of investment has been raised for recycling firms through the first three of the NERC recycling investment forums. For information call Mary Ann Remolador, NERC, at 802.254.3636.

May 13

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Rutland, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

May 18

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Springfield, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

May 20

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Brattleboro, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

May 27

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Burlington, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

June 2

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Manchester, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

Late May

Preventing Pollution from Medical Facilities: From Purchase Order to Red Bag, the Whole Facility Approach

Springfield, Mass.

8:30 a.m. to noon
For materials managers, EHS and laboratory managers, clinicians, facilities and housekeeping managers, and administrative directors. This workshop will cover how to improve environmental and fiscal performance by preventing pollution at the source. Topics include purchasing strategies, elimination of sources mercury, dioxin and other pollutants, and current regulatory issues. Sponsored by EPA and the Mass. Office of Technical Assistance (OTA). Free. For more contact information contact Lara Sutherland, OTA, at 617.727.3260, x683.

June 3

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

St. Johnsbury, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

June 9

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Derby, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

June 10

Seminar for Municipal & State Operated Vehicle Service & Repair Shops

Berlin, Vt.

8:00 a.m. to 11:45 a.m.

See description for May 12.

August 17 - August 19

Hands-On CAMEO Training

Harvard School of Public Health

677 Huntington Ave.

Boston, MA

8:00 a.m. to 4:15 p.m.

See description for March 30 - April 1.

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Read *Pollution Prevention & the Bottom Line* on the Internet at <http://www.epa.gov/region01/steward/necat/>



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